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DATE: April 30, 2003	FILE: <b>DODG:0044</b> Serial No.: 09/938,793
TO: Torres, Melanie	COMPANY: U.S. Patent and Trademark Office
FROM: Ralph A. Graham	EXTENSION: (281) 970-4545
FACSIMILE NUMBER: (703) 872-9327	NUMBER OF PAGES TO FOLLOW: 8

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## NOTES/COMMENTS:

Please find attached a RCE, Preliminary Amendment, and Petition for Extension of Time for the above-referenced patent application.

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**Official****GROUP 3600****CONFIDENTIALITY NOTE**

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PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0551-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Request for Continued Examination (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 1.32, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  See The American Inventors Protection Act of 1999 (AIPA)	Application Number	09/938,793
	Filing Date	August 24, 2001
	First Named Inventor	Donald L. Nisley et al.
	Group Art Number	3683
	Examiner Name	Torres, Melanie
	Attorney Docket Number	01RE025/YOD (DODG:0044)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14963 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Preliminary Amendment

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) (required))

b. ☐ Other \_\_\_\_\_

3. **Fee**

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0857; Order No. 01RE025/YOD (DODG:0044)

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Ralph A. Graham	Registration No. (Attorney/Agent)	47-607
Signature	<i>R. A. Graham</i>	Date	April 30, 2003

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to : Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:			
Name (Print/Type)	Carla Deblaw	Date	April 30, 2003
Signature	<i>Carla Deblaw</i>		

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 09/17/2003  
 01 FC:1801  
 02 FC:1251

11/B  
88  
9/17/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Donald L. Nisley, et al.

25

Group Art Unit: 3683

22

Serial No.: 09/938,793

3

Examiner: Torres, Melanie

3

Filed: August 24, 2001

2

For: SEALING SYSTEM FOR BEARING  
ASSEMBLY

3

Atty Docket: DODG:0044/YOD  
01RE025

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Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**CERTIFICATE OF TRANSMISSION OR MAILING**  
**37 C.F.R. 1.8**

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below.

April 30, 2003

Date \_\_\_\_\_

231 on the date below.

*Carla Deblaw*

Carla Deblaw

**Carla Deblaw**

Dear Sir:

## PRELIMINARY AMENDMENT

Prior to calculation of the filing fees and to examination of the above-referenced application, please amend the application as follows:

**IN THE CLAIMS**

Please cancel claim ~~11~~ without prejudice.

**Please amend claims 1, 2, 7, 13, and 22 as follows:**

1. (Twice Amended) A bearing assembly, comprising:  
a bearing insert;  
a bearing housing adapted to house the bearing insert;  
a cover removably securable to the bearing housing; and  
a rotatable flinger secured to the cover, the rotatable flinger comprising: